No. 33977

|  |  |  |
| --- | --- | --- |
| April 21, 2011 |  | Le 21 avril 2011 |
|  |  |  |
| Coram: McLachlin C.J. and Abella and Cromwell JJ. |  | Coram : La juge en chef McLachlin et les juges Abella et Cromwell |
|  |  |  |
| BETWEEN:John MurphyApplicant- and -John Wynne, William Holmes, William Kinlock, James Dougan, Barry Clark, Richard O'Brien, Russell St. Eloi, Tom Millar, Tom Tomko, Anne St. Eloi, Alexander McDonald, James Brady, Al Phillips, Ray Callard and Local 170 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and CanadaRespondentsAND BETWEEN:John Murphy de jure Business Manager of UA Local 170 of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada and de jure, Trustee Beneficiary of P.S. Holdings Ltd. and Pension PlanApplicant- and -Morley Shortt, Admitted Sole Member, Bare Trustee P.S. Holdings Ltd., the Union Funds and Property, Theo Arsenault, Plumbers Pension Plan Administration, Shortt, Moore, Arsenault and Associates Ltd., The Firm, Sheila A. Temple, Solicitor for P.S. Holdings Ltd. and Anne St. EloiRespondents |  | ENTRE :John MurphyDemandeur- et -John Wynne, William Holmes, William Kinlock, James Dougan, Barry Clark, Richard O’Brien, Russell St. Eloi, Tom Millar, Tom Tomko, Anne St. Eloi, Alexander McDonald, James Brady, Al Phillips, Ray Callard et Local 170 of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and CanadaIntimésET ENTRE :John Murphy de jure Business Manager of UA Local 170 of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada et de jure, Trustee Beneficiary of P.S. Holdings Ltd. and Pension PlanDemandeur- et -Morley Shortt, Admitted Sole Member, Bare Trustee P.S. Holdings Ltd., the Union Funds and Property, Theo Arsenault, Plumbers Pension Plan Administration, Shortt, Moore, Arsenault and Associates Ltd., The Firm, Sheila A. Temple, Solicitor for P.S. Holdings Ltd. et Anne St. EloiIntimés |
|  |  |  |
| JUDGMENTThe application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Numbers CA034995 and CA037160, 2010 BCCA 449, dated October 7, 2010, is dismissed with costs to the respondents P.S. Holdings Ltd. and Anne St. Eloi. |  | JUGEMENTLa demande d’autorisation d’appel de l’arrêt de la Cour d’appel de la Colombie-Britannique (Vancouver), numéros CA034995 et CA037160, 2010 BCCA 449, daté du 7 octobre 2010, est rejetée avec dépens en faveur des intimées P.S. Holdings Ltd. et Anne St. Eloi.  |

C.J.C.

J.C.C.